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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,533	06/27/2001	Joun Ho Lee	8733.460.00	3207
30827	7590	09/06/2006	EXAMINER	
MCKENNA LONG & ALDRIDGE LLP			SCHILLINGER, LAURA M	
1900 K STREET, NW			ART UNIT	
WASHINGTON, DC 20006			PAPER NUMBER	
			2813	

DATE MAILED: 09/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/891,533

Applicant(s)

LEE, JOUN HO

Examiner

Laura M. Schillinger

Art Unit

2813

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-11,13-15 and 17-24 is/are pending in the application.
- 4a) Of the above claim(s) 4-11,13-15 and 18-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,17 and 22-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 3, 17, 22-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites “first to nth” gate lines, n may be any number or variable and therefore fails to particularly point out and distinctly claim Applicant’s invention.

Election/Restrictions

Applicant’s election of claims 1, 3, 17 in the reply filed on 4/6/06 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claims 2, 4-11, 13-15, 18-21 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected claims, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 4/6/06.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 17, 22-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Okita ('830).

Okita teaches the following claimed limitations as cited below:

1. (Previously Amended) A liquid crystal display comprising:

a plurality of gate lines including first to nth gate lines formed along a first direction (Fig.2 (8));

a plurality of data lines formed along a second direction substantially perpendicular to the first direction and crossing the gate lines (Fig. 3 (22a and b));

a plurality of pixel electrodes each formed in a pixel area defined by the gate lines and the data lines, the pixel electrodes indicating pictures under control of the corresponding gate lines (Fig.2 (16)); and

a light transmission restricting layer formed beneath at least one of the pixel electrodes positioned between the first and second gate lines and not formed beneath the pixel electrodes positioned between any other gate lines (Fig.2 (9/5/6)- light transmission restricting layer is the active region as is consistent with Applicant's spec).

3. (Previously Amended) The liquid crystal display as claimed in claim 1, wherein the light transmission restricting layer is an amorphous silicon layer (Col.5 ,lines: 15-25).

17. (Previously Presented) The liquid crystal display as claimed in claim 1, wherein the light transmission restricting layer (9/5/6) is formed beneath a plurality of pixel electrodes that are controlled by a second gate line among the gate lines (Fig.2).

22. (New) The display device as claimed in claim 1, further comprising: a plurality of switching devices adjacent to crossing portions of the gate and data lines, each switching device including an active layer, wherein each switching device is connected to one of the gate lines for controlling a switching of the switching device and one of the data lines for applying data to the switching device, wherein switching devices in each row are connected to a same gate line, and wherein the rows of switching devices are sequentially scanned by the gate lines (Switching devices are TFTs as is consistent with Applicant's spec- Fig.s 2 and 3)

23. (New) The display device as claimed in claim 22, wherein the light transmission restricting layer is a semiconductor layer (Fig.2 (9/5/6) and Col. 5, lines: 15-25).

24. (New) The display device as claimed in claim 22, wherein the semiconductor layer is same as the active layer of the switching device (Fig.2 (9/5/6)).

Response to Arguments

Applicant's arguments filed 11/4/05 have been fully considered but they are not persuasive. Applicant argues that all references fail to teach forming the light restricting layer under the pixel and underneath the first two gates and no where else- however Okita teaches this as pointed out above in Fig.2.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

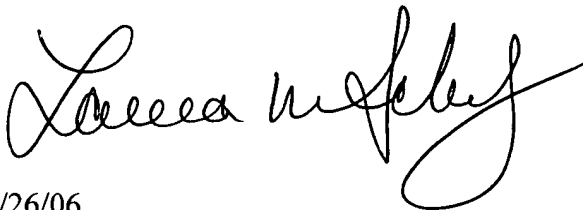
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura M. Schillinger whose telephone number is (571) 272-1697. The examiner can normally be reached on M-T, R-F 7:00-5:00.

Art Unit: 2813

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl W. Whitehead, Jr. can be reached on (571) 272-1702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Laura M Schillinger
Primary Examiner
Art Unit 2813

08/26/06